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The parties' joint request is GRANTED. Discovery is stayed pending the Court's resolution of Defendants' forthcoming motion to dismiss, which Defendants shall submit by May 15, 2024. The initial pre-trial conference on May 2, 2024 is adjourned.

**SO ORDERED.**

April 17, 2024

Dated: April 18, 2024  
New York, New York

  
**JENNIFER L. ROCHON**  
United States District Judge

**BY ECF**

Hon. Jennifer L. Rochon  
United States District Court for the Southern  
District of New York  
500 Pearl Street, Room 1920  
New York, NY 10007

**Re: Ross Cooperman M.D. and Ross Cooperman, M.D. LLC v. Empire HealthChoice HMO, Inc., et al. – Civil Action No. 1:24-cv-00866 Parties' Joint Request for Stay of Discovery**

Dear Judge Rochon:

This firm represents Defendants Anthem HealthChoice HMO, Inc. and Anthem HealthChoice Assurance, Inc, formerly known as Empire HealthChoice HMO, Inc. and Empire HealthChoice Assurance, Inc. (collectively, "Anthem" or "Defendants") in the above-referenced action. Pursuant to Your Honor's Individual Rules of Practice in Civil Cases, the Parties respectfully jointly request a stay of discovery and an adjournment of the Initial Conference *sine die* pending a decision on Defendants' forthcoming motion to dismiss.

The Initial Conference is currently scheduled for May 2, 2024, and the deadline for Anthem to file a response to the Complaint is May 15, 2024. Engaging in discovery at this time will be a waste of the Parties' resources, as Plaintiff's claims may be dismissed either through the Parties' resolution efforts or as a result of Anthem's motion to dismiss. The parties submit that no prejudice will result if a stay is granted. Accordingly, the parties respectfully request a stay of discovery and an adjournment of the Initial Conference *sine die* until the Court rules on Anthem's anticipated motion to dismiss.

This is the Parties' first request for a stay of discovery, and first request for an adjournment of the Initial Conference.

We thank Your Honor for your consideration of this matter.

Respectfully submitted,



Valerie Sirota

cc: All Counsel of Record (via ECF)